WP MS No. 43 of 2003

Hon.ble Irshad Hussain, J.

Heard Sri. Alok Singh, learned counsel for the petitioner and Sri Bhupendra Singh, learned standing counsel.

Despite direction of this Court dated 14.12.2002, the appeal against the order of Prescribed Authority under the provisions of U.P. Public Premises (Eviction of Unauthorised Occupants) Act, 1972 has not been disposed of.

Attention has been drawn to the order dated 2.12.2002 whereby the record from the Prescribed Authority was summoned and hearing of the stay application was fidxed. Despite this order, it is strange that the record was not sent by the Prescribed Authority till 11.12.2002 when the eviction order in form B was issued. Subsequently also, the stay application could not be decided for want of record. Considering the urgency of the matter, the learned District Judge concerned is directed to dispose of either appeal itself or the application for stay by the next date fixed. In the meanwhile, the operation of the order of prescribed Authority shall remain stayed.

With this direction, the petition is disposed of.

Sd/-

Dt. 15.1.2003

A.